

Agency Activity Inventory
by Agency
Appropriation Period: FY 2007-08

Agency: E23 - Commission on Indigent Defense

Functional Group: Law Enforcement &
Criminal Justice

156 Direct Appeals

This function provides representation on appeal of criminal conviction with review of legal procedure and judicial errors at trial. Section 17-4-70

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$487,744	\$386,444	\$0	\$0	\$0	\$101,300	9.00

Expected Results:

Timely and effective submission of cases for review by the South Carolina Supreme Court and Court of Appeals.

Outcome Measures:

To deliver effective representation of its clients at a cost that both reasonable and acceptable to the citizens of South Carolina. Active cases as of 6/30/2007: 1193. Cases opened and closed in FY 07: 86

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157 Post Conviction Relief Appeals

This function provides representation on Post Conviction appeal with review of effectiveness of defense counsel. Section 17-4-70

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$487,744	\$386,444	\$0	\$0	\$0	\$101,300	9.00

Expected Results:

Timely and effective submission of cases for review by the South Carolina Supreme Court and Court of Appeals.

Outcome Measures:

To provide representation on Post Conviction Relief cases that is reasonable and acceptable to the citizens of South Carolina. Active cases as of 6/30/2007: 851. Cases opened and closed in FY 07: 408.

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159 Administration

This function provides executive leadership, policy development and review, financial services, personnel services, statistical collection and analysis, communications and other related administrative services. Section 17-3-310.

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$968,742	\$968,742	\$0	\$0	\$0	\$0	4.00

Expected Results:

Administration seeks to provide the timely payment of vouchers and dissemination of accurate accounting and statistical information. Administration is responsible for constantly seeking ways to improve the indigent defense system; providing excellent, cost-effective representation and to provide timely and effective processing of financial and personnel transactions in a stable work environment allowing uninterrupted agency activity.

Outcome Measures:

To support the administration of justice, thereby improving the safety of people and property and to provide needed services to indigent persons involved in court procedures by providing speedy reimbursement for services provided.

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160 Legal Aid Funding

This is a pass-through fund to the SC Centers for Equal Justice pursuant to Section 14-1-204. Funds provide free legal services in civil matters involving issues such as housing and consumer fraud.

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$1,700,000	\$0	\$0	\$0	\$0	\$1,700,000	0.50

Expected Results:

Disbursement of allocated funds

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Outcome Measures:

Pursuant to Section 14-1-204, distribution of funding to grantees of Legal Services Corporation to provide legal services to underprivileged citizens in civil matters such as consumer fraud and housing issues. FY07 distribution: \$1,608,011.

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161 Death Penalty Fund

Funds used to reimburse attorneys appointed by the court to represent indigent persons prosecuted for capital offenses. Funds are disbursed pursuant to Section 16-3-26.

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$3,050,000	\$50,000	\$0	\$0	\$0	\$3,000,000	1.00

Expected Results:

Representation of indigent persons in a manner which protects their rights and complies with the US Constitution and with the Laws of SC governing capital cases.

Outcome Measures:

Provide payment for representation and expenses in capital trials. Provide payment for court reporters transcripts for Office of Appellate Defense.

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Functional Group: Law Enforcement & Criminal Justice

162 Conflict Fund

Funds used to reimburse court appointed attorneys for legal services rendered in criminal cases. Attorneys are appointed pursuant to Court Rule 608 when the Public Defender's office has a conflict such as representing a co-defendant. Code Section 17-3-50

FY 2007-08

Agency Activity Inventory
by Agency
Appropriation Period: FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$2,500,000	\$0	\$0	\$0	\$0	\$2,500,000	2.00

Expected Results:

Timely payment for services rendered and to meet the increasing demands on this fund.

Outcome Measures:

Provide payment for representation and expenses of indigents by court appointed counsel in non-capital criminal cases.

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163 Civil Appointment Fund

Funds used to reimburse attorneys appointed by the court in cases involving abuse and neglect, protective placement, and termination of parental rights. Fund is also used to pay attorneys appointed as Guardians Ad Litem and in Sexually Violent Predator a

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$4,250,000	\$0	\$0	\$4,250,000	\$0	\$0	1.50

Expected Results:

Timely payment for services rendered and to meet the increasing demands on this fund.

Outcome Measures:

Provide payment for representation of indigents by court appointed counsel in DSS actions, Post Conviction Relief , Probate Court Commitments and Sexually Violent Predator cases.

Agency: E23 - Commission on Indigent Defense

Functional Group: Law Enforcement &
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164 Defense of Indigents Per Capita

Funds distributed to Public Defender Corporations on a per capita basis pursuant to Section 17-3-70.

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Appropriation Period: FY 2007-08

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$10,711,703	\$4,688,651	\$0	\$250,000	\$0	\$5,773,052	0.50

Expected Results:

Support of county public defender offices so that valuable and fiscally responsible legal services may continue. Offices should be staffed to handle a constantly increasing number of cases including magistrate's court cases pursuant to AL v. Shelton.

Outcome Measures:

Funding for operation of public defender offices statewide.

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1660 Criminal Domestic Violence

Funds distributed to Public Defender Corporations on a per capita basis pursuant to Proviso 73.14

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$1,320,000	\$1,320,000	\$0	\$0	\$0	\$0	0.50

Expected Results:

Support of county public defender offices to provide adequate legal representation of indigent persons charged with Criminal Domestic Violence

Outcome Measures:

Funding for representation of indigents charged with Criminal Domestic Violence

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1661 Information Technology

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Development of web site and related technology to provide information and access to services for indigent defense community and to aid in the collection of accurate statistical data as required by 17-3-310

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$0	\$0	\$0	\$0	\$0	\$0	0.00

Expected Results:

Technology upgrades to meet demands for timely processing of payment requests and dissemination of information to public defenders, court appointed counsel and general public on services provided by the commission.

Outcome Measures:

Implementation of data collection from all public defender offices and electronic case registration and voucher processing system for all court appointed cases.

EXPLANATION:

Activity Not Funded

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1791 DUI Defense of Indigents

Funds distributed to Public Defender Corporations on a per capita basis.

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$1,000,000	\$1,000,000	\$0	\$0	\$0	\$0	0.00

Expected Results:

Support of county public defender offices to provide adequate legal representation of indigent persons charged with DUI

Outcome Measures:

Funding for representation of indigents charged with DUI

EXPLANATION:

New Activity added by the Legislature

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1792 Death Penalty Trial Unit

Provide specialized assistance s in capital trials where local resources are inadequate or a conflict exists.

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$500,000	\$0	\$0	\$500,000	\$0	\$0	0.00

Expected Results:

Deliver a cost effective method for death penalty trials resulting in fewer reversals due to defense counsel error.

Outcome Measures:

Provide the high quality of representation required in complex capital litigation

EXPLANATION:

New Activity added by the Legislature

AGENCY TOTALS

Commission on Indigent Defense

TOTAL AGENCY FUNDS	TOTAL GENERAL FUNDS	TOTAL FEDERAL FUNDS	TOTAL OTHER FUNDS
\$26,975,933	\$8,800,281	\$0	\$13,175,652
	TOTAL SUPPLEMENTAL FUNDS	TOTAL CAPITAL RESERVE FUNDS	TOTAL FTEs
	\$5,000,000	\$0	28.00